

# Memorandum

Date : August 18, 2000

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To : **Metcalf Energy Center Siting Committee:**

Robert A. Laurie, Presiding Member

William J. Keese, Associate Member

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From : **California Energy Commission** - Paul Richins, Jr.  
1516 Ninth Street  
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Energy Commission Project Manager

Subject : **AUGUST 16, 2000 STATUS REPORT**

## Schedule

Nearly 50 hours of Preliminary Staff Assessment workshops were conducted in June. These workshops were held in south San Jose and spanned six days and four evenings. The workshops were well-attended with an excellent dialogue with the applicant; intervenors; interested citizens of the community; local, state, and federal agencies; and City of San Jose staff. With the information gained at these workshops, staff is in the process of completing their respective Final Staff Assessment (FSA) technical sections.

As was agreed to during the workshops, Calpine/Bechtel has provided much of the additional information that was requested. However, several critical pieces of information remain outstanding. The following information is needed prior to completing the FSA:

- ☐ water resources and impacts to ground water;
- ☐ cultural resource surveys near the water wells and supply lines;
- ☐ biological resources;
- ☐ PM10 mitigation package; and
- ☐ partial load emission/emission factors (for air quality and public health)

We understand that the San Francisco Bay Area Air Quality Management District plans to complete the Final Determination of Compliance (FDOC) in mid- to late-August, 2000. However, they are also waiting for the partial load emission factors prior to releasing the FDOC. We understand that the partial load samples have been taken and they are in the lab for analysis. Calpine/Bechtel is not able to provide us with a specific date when they expect to file the partial load test results except to say they hope it will be available by mid- to late-August.

With the recent additional information provided by Calpine/Bechtel, U.S. Fish and Wildlife Service estimates that the Biological Opinion will be completed by the end of September or first of October. This is the target date provided additional information is not required after they evaluate the recent data submittals. The Biological Opinion is not required for us to complete the FSA as we have been working closely with the U.S Fish and Wildlife Service and understand the conditions they are considering.

Scheduling Order

We have concerns regarding the Interim Scheduling Order that directs staff to conduct workshops on the Staff Assessment. Since the Staff Assessment is our testimony for the evidentiary hearings, we do not understand the purpose of the workshops and do not believe they will be productive. Although we will be providing additional analysis and information in the Final Staff Assessment, there may remain areas where the applicant or intervenors disagree with our assessment. We are apprehensive that the workshops could result in a lengthy cross-examination of staff witnesses prior to the evidentiary hearings.

We recommend that the Committee eliminate the requirement to conduct workshops on the Staff Assessment and expeditiously plan for hearings while allowing the intervenors adequate time to prepare their testimony.

cc: Metcalf POS list